

### **REMARKS**

The present application includes claims 31-36. Claims 31-36 have been rejected in the present office action. By this response, claims 31 and 34 have been amended.

The applicants have carefully considered the official action dated July 21, 2010, and the references it cites and provide the preceding amendments and the following remarks. Reconsideration of the pending claims and previous rejections is respectfully requested.

#### **Art Rejections**

Claims 31-36 have been rejected under 35 U.S.C. 102(b) as anticipated by Marta (U.S. Patent No. 6,394,901). Claims 31-36 also have been rejected under 35 U.S.C. 103(a) as unpatentable over Hughs-Baird et al. (U.S. Patent Application Publication No. 2003/0064790). The applicants respectfully traverse these rejections for at least the following reasons and respectfully request reconsideration of the rejection of these claims.

Marta relates to a casino game of craps using a slot machine. See, e.g., Abstract. As shown in FIGS. 1-16 and associated description, an electromechanical hand throws dice in a pit area within the slot machine to execute a craps game at the slot machine rather than a regular craps table. However, the game of craps proceeds just as if the player were playing the table game. See, e.g., col. 5, lines 19-22. No plurality of symbols are found in Marta.

Hughs-Baird relates to a gaming machine with a secondary display area including dice that reveal an award value. See, e.g., Abstract, FIGS. 1A-1B and 3-20E, and associated description. The dice are mechanical dice mounted on rotators to mechanically indicate an award. See, e.g., paragraph [0063]-[0092]. The mechanical dice are mounted to the upper portion of the gaming machine above the player's head with the visible face of each die pointing downward toward the player. See, e.g., paragraph [0098].

Based on a careful review of the Marta patent and Hughs-Baird application, the applicants respectfully submit that Marta only discusses a dice-only craps game, and Hughs-Baird only discusses using mechanical dice to review an award amount. Unlike the presently pending claims, neither Marta nor Hughs-Baird discloses determining whether the plurality of symbols comprises a plurality of die symbols among a plurality of non-die symbols displayed for the outcome. Conversely, both Marta and Hughs-Baird discuss operation of only mechanical dice. The mechanical dice of Marta and Hughs-Baird are not generated and displayed among a plurality of non-die symbols in a game outcome.

Claim 31 recites, inter alia, randomly selecting a plurality of numerical values if it is determined that the symbols comprise the die symbols, wherein the game controller is arranged to obtain the numerical values from the die symbols; determine whether the numerical values meet a predefined criterion; and commence the play of the second game if it is determined that the numerical values meet the predefined criterion. As discussed above, none of these recitations are found in either Marta or Hughs-Baird.

For at least these reasons, the applicants respectfully submits that, in view of these missing elements, the cited art fails to disclose the recitations of independent claim 31, nor can the cited art, in view of the missing elements, render claim 31 *prima facie* obvious. Accordingly, the applicants respectfully submit that independent claim 31 and all claims dependent thereon are in condition for allowance.

Claim 34 recites, inter alia, determining whether the plurality of symbols comprises a plurality of die symbols among a plurality of non-die symbols displayed for the outcome; determining whether the plurality of symbols comprises a plurality of die symbols; randomly selecting, via the game controller, a plurality of numerical values if it is determined that the

symbols comprises the die symbols, wherein the game controller is arranged to obtain the numerical values from the die symbols; determining, via the game controller, whether the numerical values meet a predefined criterion; and commencing, via the game controller, the play of the second game if it is determined that the numerical values meet the predefined criterion.

For at least the reasons described above with respect to claim 31, the applicants respectfully submits that, in view of these missing elements, the cited art fails to disclose the recitations of independent claim 34, nor can the cited art, in view of the missing elements, render claim 34 *prima facie* obvious. Accordingly, the applicants respectfully submit that independent claim 34 and all claims dependent thereon are in condition for allowance.

It is respectfully submitted that all pending claims are in condition for allowance, and reconsideration is respectfully requested. The Office is respectfully requested to pass this application to allowance as no combination of the art cited in the official action teaches or suggests the combinations claimed in the pending claims.

**CONCLUSION**

In general, the official action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the applicants will not address such statements at the present time. However, the applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

In view of the foregoing, the applicants respectfully request reconsideration of this application. If there are any remaining matters that the examiner would like to discuss, the examiner is invited to contact the undersigned representative at the telephone number set forth below. The Commissioner is authorized to charge any necessary fees or credit any overpayment to Deposit Account No. 50-2455.

Respectfully submitted,

**/Christopher N. George/**

Christopher N. George  
Reg. No. 51,728  
Attorney for Applicants  
Hanley, Flight & Zimmerman, LLC  
(at customer number **34431**)  
150 South Wacker Drive  
Suite 2100  
Chicago, Illinois 60606  
312.580.1020

Dated: **October 25, 2010**